

JOE WARDY
MAYOR



CITY COUNCIL

SUSAN AUSTIN
DISTRICT NO. 1

ROBERT A. CUSHING, JR.
DISTRICT NO. 2

JOSE ALEXANDRO LOZANO
DISTRICT NO. 3

JOHN COOK
DISTRICT NO. 4

DANIEL S. POWER
DISTRICT NO. 5

PAUL J. ESCOBAR
DISTRICT NO. 6

VIVIAN ROJAS
DISTRICT NO. 7

ANTHONY W. COBOS
DISTRICT NO. 8

REGULAR COUNCIL MEETING
COUNCIL CHAMBERS
JULY 1, 2003
9:00 A.M.

The City Council met in regular session at the above place and date. Mayor Joe Wardy present and presiding and the following Council Members answered roll call: Susan Austin, Robert A. Cushing, Jr. Jose Alexandro Lozano, John Cook, Daniel S. Power, Vivian Rojas and Anthony W. Cobos. Late arrival: Paul J. Escobar. Absent: None. Meeting was called to order and the invocation was given by Police Chaplain Carlos Flores, followed by the Pledge of Allegiance to the Flag of the United States of America, Mayor's Proclamations & Certificates.

MAYOR'S PROCLAMATIONS

1. ***Sun City Fiesta Days***
2. ***Las Palmas/Del Sol Regional Healthcare System Day***

No action was taken on the discussion and action having to do with the Housing Authority and to read a letter of resignation by Mrs. Valverde. [Aurora Valverde]

Ms. Aurora Valverde, citizen, was present and relayed information to Council Members, in Spanish, pertaining to quality of life for herself and the elderly residents at the Sun Plaza Housing Complex and explained why she would be resigning as President of the Sun Plaza Housing Complex. Ms. Diana Nunez, Deputy City Clerk, provided translation.

Representative Cobos noted that Ms. Valverde stated that senior citizens were afraid of losing their housing and requested that the El Paso Housing Authority clean up their image.

Mr. Al Velarde, Housing Authority Security Officer, explained the circumstances surrounding Ms. Valverde's resignation and added that the Housing Authority was working with the elderly residents and striving to ensure that the residents were happy and comfortable. He stated that he would address issues as previously stated by Ms. Valverde, i.e., drunkenness in the elevators and loud music.

Mr. Tomas Hernandez, Council of Presidents' representative, provided additional information.

Mayor Joe Wardy stated that the Council Members were sensitive to the needs of the community.

RESOLUTION

RULES OF ORDER FOR CITY COUNCIL MEETINGS OF THE CITY OF EL PASO

SECTION 1. PURPOSE OF RESOLUTION

This Resolution is adopted pursuant to Section 3.5.B of the Charter of the City of El Paso as a procedural guide for the benefit of the City Council and for the general information of the public. These rules shall apply to regular or special meetings at which action is to be taken, but shall not apply to meetings for committees of the City Council or to informational gatherings of the Council.

SECTION 2. EFFECT OF FAILURE TO FOLLOW THESE RULES

No action of the Council which is otherwise legal shall be invalidated merely by reason of the Council's failure to follow these Rules of Order, unless the majority of the Council agrees that such action shall be invalidated.

SECTION 3. STANDING

No one other than a member of the City Council shall have standing to assert before the Council that any action taken by the Council is invalid by reason of the Council's failure to comply with these Rules of Order.

SECTION 4. SUSPENSION OF RULES

These rules may be suspended temporarily by a majority of the Council members present, except as they pertain to a quorum, or to the majority required for any motion, or to other matters pre-empted by laws other than those Rules of Order.

SECTION 5. PRESIDING OFFICER

The Mayor shall preside at all meetings of the City Council, but if for any reason he is absent from the City, sick or unable to act, then the Mayor Pro Tempore shall preside at such meetings and at such times shall exercise all of the powers and discharge the duties of the Mayor, except that the Mayor Pro Tempore shall vote as a Representative. In the absence or inability of both the Mayor and the Mayor Pro Tempore, the Alternate Mayor Pro Tempore shall preside and shall vote as a Representative. Upon the arrival of the Mayor, the Mayor Pro Tempore or the Alternate Mayor Pro Tempore, the acting chairman shall immediately relinquish the chair upon the conclusion of the business immediately pending before the Council.

The presiding officer shall preserve strict order and decorum at all regular and special meetings of the Council, and shall state questions coming before the Council as necessary for clarity, and shall announce the decision of the Council on all subjects.

SECTION 6. QUESTIONS OF ORDER

All questions of order shall be decided by the presiding officer with the right of appeal from his decision to the Council that is present, the majority of whom may override the decision.

SECTION 7. VOTING

The City Clerk shall call the roll beginning with the Representative seated furthest to the Mayor's right and continuing in that order. At the time the Representative audibly indicates his or her vote, the Representative will simultaneously indicate his or her vote on the electronic voting system. Records of such roll call vote shall be incorporated in the Minutes of the meeting.

SECTION 8. RECORDED DEBATE

A Representative may request, through the presiding officer, to have an abstract of his statement on any subject under consideration by the Council entered in the Minutes. The recording secretary may be directed by the presiding officer to enter in the Minutes a synopsis of the discussion on any question coming before the Council.

SECTION 9. ORDER OF PRECEDENCE OF MOTIONS

A motion to adjourn shall take precedence over all other motions and shall be non-debatable; however, if such a motion is made prior to the disposition of all agenda items, the motion to adjourn must be approved by two-thirds of all Council members present.

A motion to postpone shall take precedence over all other motions except the motion to adjourn, and shall be non-debatable.

SECTION 10. MOTION TO RECONSIDER

A motion to reconsider any action taken by the Council may be made at any time prior to adjournment of the same meeting at which such action was taken.

SECTION 11. OBTAINING THE FLOOR

Every person desiring to speak shall address the presiding officer, and when recognized by the presiding officer, shall address only the question under consideration.

SECTION 12. RIGHT OF CITIZENS TO BE HEARD

Any citizen of the City of El Paso shall have a reasonable opportunity to be heard at all public hearings of the City Council in regard to any and all matters to be considered at such hearings that are germane and relative to any subject matter of City affairs or business which is within the scope of the authority and legislative functions of the City Council. Provided, however, that the time allowed for each citizen's appearance before City Council may be limited to a fixed number of minutes at the discretion of the presiding officer. Members of the public will usually be granted three (3) minutes to present their position on issues. Time will be kept by the City Clerk. Members of Council may move to grant additional time to speakers. Such extended time will be determined by a simple majority vote of Council.

Members of the public wishing to speak to an item must sign up prior to 10:00 a.m. on the day of the City Council meeting. The City Clerk shall make available the sign-in sheet for the public outside of Council Chambers on the day of the Council Meeting up until 10:00 a.m. Persons may sign up to address multiple items, however this does not mean it is permissible to "mark all" or to sign up for every item "just in case" they wish to speak when the discussion on an item takes place.

No person may speak a second time except by permission of the presiding officer, and further, no person shall be heard a second time until all persons desiring to speak once have been given the opportunity to do so.

Personal attacks are not permitted. Members of the public should address their questions to the Council, not to the staff. Council may in turn ask staff to provide input.

Members of the public may be asked to leave or be removed from Council Chambers if it is determined that they are disruptive to the meeting. Such determination will be made by the presiding officer. Members of Council may move to overrule such determination by the presiding officer subject to a simple majority vote of Council.

SECTION 13. ORDER OF AGENDA ITEMS

Agenda items placed by members of the public will be addressed first, not to exceed thirty (30) minutes commencing at 9:00 a.m. Proclamations will be presented after public member items, not to exceed thirty (30) minutes. Items accepting or acknowledging donations to the City will be taken prior to consideration of the Consent Agenda. Items removed from the Consent Agenda will be considered at the end of the Regular Agenda.

SECTION 14. PARLIAMENTARIAN

The City Attorney and the First Assistant City Attorney are confirmed to serve as Parliamentarian and Alternate Parliamentarian, respectively.

Ms. Rita Rodriguez, City Attorney, provided copies of the Resolution for Council Members and read the language regarding utilization of the three-minute rule as a guideline, into the record.

Representative Cook requested that the presiding officer delegate the time limit.

Representative Escobar expressed that he was in favor of the utilizing the three-minute rule; however, added that agenda items should be given individual attention.

Representative Power requested that individuals wishing to speak before the Council come prepared.

Representative Cushing suggested revising Section 12 of the Resolution to state "sufficient time to present their position on the issues, usually three minutes" and moved to approve the Resolution with the revised language. Representative Cobos seconded.

Mayor Joe Wardy remarked that Council Members may make motions in order to allow the speaker additional time.

Mr. Stan Roberts, citizen, made remarks regarding the City Charter and Robert's Rules of Order, specifically addressing the roll call vote.

Representative Austin responded that the Council Members would verbally state their vote, in addition to the electronic vote.

Motion made by Representative Cushing, seconded by Representative Cobos and unanimously carried to approve the above Resolution as revised.

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Motion made by Representative Cook, seconded by Representative Cobos and unanimously carried to recess the City Council meeting at 9:55 a.m. for a Special Mass Transit Board meeting.

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Motion made by Representative Cook, seconded by Representative Escobar and unanimously carried to reconvene the City Council meeting at 10:32 a.m.

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Motion made by Representative Cobos, seconded by Representative Escobar, and unanimously carried to approve, as revised, all matters listed under the Consent Agenda unless otherwise noted. The votes were recorded both orally and electronically.
(Items approved, postponed, or deleted pursuant to the vote on the Consent Agenda will be shown with an asterisk {*}).

.....
*Motion made, seconded and unanimously carried to approve the Minutes for Regular City Council Meetings of August 13, 2002, August 20, 2002 and June 24, 2003.

.....
Motion made by Representative Rojas, seconded by Representative Cook and unanimously carried to postpone one (1) week the Resolution placing a condemnation lien on the following property (legal description on file with the City Clerk) and in the following amount for work performed by the City pursuant to Section 18.52.040 and 18.52.080 (Unsafe Structures and Conditions) of the El Paso Municipal Code:

8232 McElroy Avenue \$6,869.94 Maria Baxley, Executrix of the Estate of Angelica Reyes

Mr. David Baxley, who spoke on behalf of his mother, Ms. Maria Baxley, was present and provided comments.

Representative Power asked questions of Mr. Baxley.

Mr. Baxley responded appropriately.

.....
*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

Placing a condemnation lien on the following property (legal description on file with the City Clerk) and in the following amount for work performed by the City pursuant to Section 18.52.040 and 18.52.080 (Unsafe Structures and Conditions) of the El Paso Municipal Code:

7637 Hacienda Avenue \$2,893.37 Manuel E. and Martha Maese

.....
*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

Appointing Council Representatives Anthony Cobos and Daniel S. Power as members of the Transportation Policy Board from the City of El Paso, Texas, for the Metropolitan Planning Organization, for the El Paso Urban Transportation Study Area.

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Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a consent to the Lease Agreement entered into on July 1, 2003, by and between SMG, a Philadelphia general partnership and successor in interest to LMI/HHI, Ltd., and Dos Naciones, Inc. d/b/a/ El Paso-Juarez Trolley Company, a private corporation of the State of Texas.

Representative Austin questioned the length of the extension written in the Lease Agreement.

Motion made by Representative Lozano, seconded by Representative Escobar and unanimously carried to approve the above Resolution.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

***RESOLUTION**

***RESOLUTION**

***RESOLUTION**

REGULAR COUNCIL MEETING - JULY 1, 2003

*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement granting an Overhead Electrical Easement to the El Paso Electric Company in a portion of Hart Pre-Emption 2, El Paso County, Texas to serve the Public Service Board new Mission Hills Lift station.

*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign, on behalf of the El Paso City-County Health and Environmental District, the following contract amendment and renewal with the Texas Department of Health: Tuberculosis Prevention and Control Division, Document No. 7460007499-2003, Attachment No. 07B.

*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Assistance Amendment (Document Identification No. A-00615402-2) for Federal Assistance from the United States Environmental Protection Agency, Region VI and all related documentation to insure compliance through FY 2003 on behalf of the El Paso City-County Health and Environmental District for continued Air Pollution Control Program Support in the City of El Paso. There is no additional cost to the City County Health and Environmental District related to this Assistance Amendment.

*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **SALVADOR GONZALEZ-AYALA**, to assist the Metropolitan Planning Organization (MPO) Office, at a biweekly rate of \$2,692.31, for an average of 30 hours per week. The term of the contract shall be for the period of July 1, 2003 through June 30, 2005.

*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **ALFREDO SOLANO**, to assist the El Paso Water Utilities Department as a Database Administrator, at a biweekly rate of \$2,048.76, for 40 hours per week. The term of the contract shall be for the period of July 2, 2003 through July 1, 2004.

*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **MIGUEL A. LOPEZ, JR.**, to assist the Museum of Art as an Arts Apprentice, at an hourly rate of \$13.18, for 40 hours per week. The term of the contract shall be for the period of July 2, 2003 through August 15, 2003.

*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Director of the El Paso Public Library ("the Library") be authorized to sign the Costume Appearance Agreement with Penguin Putnam, for the loan of a "Mouse, Cookie" walk-about character costume from September 18 to September 29, 2003. The costume shall be used for programs at all libraries during such time period. The cost to the Library is \$120, which covers the shipping and handling costs.

*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Director of the El Paso Public Library ("the Library") be authorized to sign the Costume Appearance Agreement with Penguin Putnam, for the loan of a "Froggy" walk-about character costume from August 21 to September 2, 2003. The costume shall be used for programs at all libraries during such time period. The cost to the Library is \$120, which covers the shipping and handling costs.

*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Independent Contractor contract on behalf of the Parks & Recreation Department. Funding for this contract is in Fiscal Year 2002/2003 appropriations to be approved by the City Council and the City's Civil Service Commission.

ARMIJO RECREATION CENTER

DEPARTMENT ID: 51510065, ACCOUNT 502214

CONTRACTOR: Marcela Macias, Dance Instructor, Fiesta Caliente
DATES: July 2, 2003, thru August 1, 2003
RATE PER CL: \$9.75
MAXIMUM AMT: \$643.50
CONTRACT: 2002/2003-149

*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Independent Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in Fiscal Year 2002/2003 appropriations to be approved by the City Council and the City's Civil Service Commission.

NOLAN RICHARDSON RECREATION CENTER

DEPARTMENT ID: 51510074, ACCOUNT 502214

1. CONTRACTOR: Emma Deguire, Ballet Folklorico Instructor
DATES: July 2, 2003, thru August 31, 2003
RATE PER CL: \$11.25
MAXIMUM AMT: \$1,080.00
CONTRACT: 2002/2003-150

PAVO REAL RECREATION CENTER

DEPARTMENT ID: 51510115, ACCOUNT 502214

2. CONTRACTOR: Marcela Macias, Folklorico Dance and Aerobics Instructor
DATES: July 2, 2003, thru August 31, 2003
RATE PER CL: \$10.00
MAXIMUM AMT: \$990.00
CONTRACT: 2002/2003-151

.....
*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Employment Contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in fiscal year 2002-2003 appropriations to be approved by the City Council and the City's Civil Service Commission.

PAVO REAL RECREATION CENTER

DEPARTMENT ID: 51510115, ACCOUNT 501011

1. CONTRACTOR: Sara Legarreta, Daycare Instructor Aide, Step I
DATES: July 2, 2003 thru August 31, 2003
RATE PER HR: \$5.35
CONTRACT NO: 2002/2003-309
2. CONTRACTOR: Maria Luisa Garcia, Daycare Instructor Aide, Step 1
DATES: July 2, 2003 thru August 31, 2003
RATE PER HR: \$5.35
CONTRACT NO: 2002/2003-310

.....
That the Mayor be authorized to execute the following Employment Contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in fiscal year 2002-2003 appropriations to be approved by the City Council and the City's Civil Service Commission.

AQUATICS

DEPARTMENT ID: 51010281, ACCOUNT 501011

1. CONTRACTOR: Audrey A. Flores, Lifeguard, Step 2
DATES: July 9, 2003 thru September 30, 2003
RATE PER HR: \$6.00
CONTRACT NO: 2002/2003-311
2. CONTRACTOR: Blanca Y. Mendoza, Pool Attendant, Step 1
DATES: July 9, 2003 thru September 30, 2003
RATE PER HR: \$5.40
CONTRACT NO: 2002/2003-312

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*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement with RENT-A-CENTER to lease the company One (1) 4 Cubic Yard Dumpster for a service fee of \$15.00 for each month for the purpose of collecting the company's recyclable materials in conjunction with the Department of Solid Waste Management's recycling program.

Motion made, seconded and unanimously carried to postpone two (2) weeks the Resolution that the Mayor be authorized to sign a Third Amendment to the SOFTWARE AND MAINTENANCE AGREEMENT by and between the CITY OF EL PASO, TEXAS and APPRAISAL AND COLLECTION TECHNOLOGIES (ACT), the commercial software division of Linebarger Goggan Blair and Sampson L.L.P., to extend the Term of the Agreement, adjust the compensation accordingly, and to amend the Current Tax Statement Fees.

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*NOTICE OF PUBLIC HEARING

To All Interested Parties:

You are hereby notified that at 9:00 a.m. on the 22nd day of July, 2003 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 5915 Cleveland Avenue, in El Paso, Texas, which property is more particularly described as:

Lot: 24, Block 3, Womble Addition, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on File in Book 13, Page 32, Plat Records of El Paso County, Texas

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Francisco Lerma, Sr., 5915 Cleveland Avenue, El Paso, Texas 79905, is listed as the Owner of the real property described herein.

The Owner of said property is hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owner, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to bring the building into compliance with Titles 17 and 18 of the code as mandated by Section 18.52.040 of the Municipal Code, and to specify the time it will take to reasonably perform the work.

At the hearing, the owner, lien holders, mortgagees, or any other person having an interest in the property must present to City Council any evidence showing that the structure or part thereof is safe.

All documents such as building plans, specifications, drawings, reports from design professionals and any other required documents must be presented to City Council at this hearing.

The time periods, which govern the completion of work ordered by Council, are outlined in Subsection 18.52.040 (3) pursuant to State law.

If the Owner fails, neglects or refuses to comply with the order of City Council the City may pursue one, or more of the following actions:

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owner, of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owner for failure to repair, remove or demolish said Building in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owner shows that the property is the Owner's lawful homestead and;

III) the Owner may be confined in jail as permitted by state law and;

IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the City Clerk is ordered to provide notice of this hearing to the record Owner and all other persons having an interest in the property as provided by law.

According to the real property records of El Paso County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Housing Compliance Office of the Building Permits and Inspections, 5th floor, City Hall, no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

.....
***NOTICE OF PUBLIC HEARING**

To All Interested Parties:

You are hereby notified that at 9:00 a.m. on the 29th day of July, 2003 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 113 W. Missouri Avenue, in El Paso, Texas, which property is more particularly described as:

Lots: 42 through 46, both inclusive, and the South 19.5 feet of Lot 41, Block 1, Satterthwaite Addition, an Addition to the City of El Paso, El Paso County, Texas

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Inn-Vestor, Inc., 6060 North Central Expressway, Suite 560, #7, Dallas County, Texas 75206, is listed as the Owner of the real property described herein.

The Owner of said property is hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owner, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to bring the building into compliance with Titles 17 and 18 of the code as mandated by Section 18.52.040 of the Municipal Code, and to specify the time it will take to reasonably perform the work.

At the hearing, the owner, lien holders, mortgagees, or any other person having an interest in the property must present to City Council any evidence showing that the structure or part thereof is safe.

All documents such as building plans, specifications, drawings, reports from design professionals and any other required documents must be presented to City Council at this hearing.

The time periods, which govern the completion of work ordered by Council, are outlined in Subsection 18.52.040 (3) pursuant to State law.

If the Owner fails, neglects or refuses to comply with the order of City Council the City may pursue one, or more of the following actions:

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owner, of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owner for failure to repair, remove or demolish said Building in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owner shows that the property is the Owner's lawful homestead and;
- III) the Owner may be confined in jail as permitted by state law and;
- IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the City Clerk is ordered to provide notice of this hearing to the record Owner and all other persons having an interest in the property as provided by law.

According to the real property records of El Paso County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Housing Compliance Office of the Building Permits and Inspections, 5th floor, City Hall, no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

.....
*NOTICE OF PUBLIC HEARING

To All Interested Parties:

You are hereby notified that at 9:00 a.m. on the 29th day of July, 2003 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 2213 Sea Palm Drive, in El Paso, Texas, which property is more particularly described as:

Lot: 20, Less the Southwesterly 1.5 feet thereof, Block 36, EAST GLEN ADDITION UNIT THREE, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on File in Book 49, Page 6 and 6A, Plat Records of El Paso County, Texas

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, MidFirst Bank, 999 N. W. Grand Blvd., Oklahoma City, OK 73118-6116, is listed as the Owner of the real property described herein.

The Owner of said property is hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owner, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to bring the building into compliance with Titles 17 and 18 of the code as mandated by Section 18.52.040 of the Municipal Code, and to specify the time it will take to reasonably perform the work.

At the hearing, the owner, lien holders, mortgagees, or any other person having an interest in the property must present to City Council any evidence showing that the structure or part thereof is safe.

All documents such as building plans, specifications, drawings, reports from design professionals and any other required documents must be presented to City Council at this hearing.

The time periods, which govern the completion of work ordered by Council, are outlined in Subsection 18.52.040 (3) pursuant to State law.

If the Owner fails, neglects or refuses to comply with the order of City Council the City may pursue one, or more of the following actions:

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owner, of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owner for failure to repair, remove or demolish said Building in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owner shows that the property is the Owner's lawful homestead and;
- III) the Owner may be confined in jail as permitted by state law and;
- IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the City Clerk is ordered to provide notice of this hearing to the record Owner and all other persons having an interest in the property as provided by law.

According to the real property records of El Paso County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Housing Compliance Office of the Building Permits and Inspections, 5th floor, City Hall, no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

.....
*NOTICE OF PUBLIC HEARING

To All Interested Parties:

You are hereby notified that at 9:00 a.m. on the 29th day of July, 2003 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 3501 E. Yandell Drive, in El Paso, Texas, which property is more particularly described as:

Lots: 1 and 2, Block 87, Supplemental Map No. 1 of East El Paso, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on File in Book 1, Page 51, Plat Records of El Paso County, Texas

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, First National Acceptance Co., P. O. Box 4010, East Lansing, MI 48826, is listed as the Owner of the real property described herein.

The Owner of said property is hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owner, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to bring the building into compliance with Titles 17 and 18 of the code as mandated by Section 18.52.040 of the Municipal Code, and to specify the time it will take to reasonably perform the work.

At the hearing, the owner, lien holders, mortgagees, or any other person having an interest in the property must present to City Council any evidence showing that the structure or part thereof is safe.

All documents such as building plans, specifications, drawings, reports from design professionals and any other required documents must be presented to City Council at this hearing.

The time periods, which govern the completion of work ordered by Council, are outlined in Subsection 18.52.040 (3) pursuant to State law.

If the Owner fails, neglects or refuses to comply with the order of City Council the City may pursue one, or more of the following actions:

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owner, of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owner for failure to repair, remove or demolish said Building in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owner shows that the property is the Owner's lawful homestead and;
- III) the Owner may be confined in jail as permitted by state law and;
- IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the City Clerk is ordered to provide notice of this hearing to the record Owner and all other persons having an interest in the property as provided by law.

According to the real property records of El Paso County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Housing Compliance Office of the Building Permits and Inspections, 5th floor, City Hall, no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

.....
Motion made, seconded and unanimously carried to move to the Regular Agenda the notice to set a public hearing to be held on July 29th, 2003, to determine if the property located at 10428 Lambda Dr., El Paso, Texas, 79924, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished.

NOTICE OF PUBLIC HEARING

To All Interested Parties:

You are hereby notified that at 9:00 a.m. on the 29th day of July, 2003 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 10428 Lambda Dr. in El Paso, Texas 79924, which property is more particularly described as:

Lot: 30, Block 6, Apollo Heights "Unit One", an Addition to the City of El Paso, El Paso County, Texas according to the map thereof on file in Book 38, Page 19, Plat Records of El Paso County, Texas

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, C. F. Sanford AKA Clifton P. Sanford and AKA C. P. Sanford and Hideko K. Sanford, 10428 Lambda Dr. and 6551 Mohawk Ave. El Paso, Texas, are listed as the Owners of the real property described herein.

The Owners of said property are hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owners, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to bring the building into compliance with Titles 17 and 18 of the code as mandated by Section 18.52.040 of the Municipal Code, and to specify the time it will take to reasonably perform the work.

At the hearing, the owners, lien holders, mortgagees, or any other person having an interest in the property must present to City Council any evidence showing that the structure or part thereof is safe.

All documents such as building plans, specifications, drawings, reports from design professionals and any other required documents must be presented to City Council at this hearing.

The time periods, which govern the completion of work ordered by Council, are outlined in Subsection 18.52.040 (3) pursuant to State law.

If the Owners fail, neglect or refuse to comply with the order of City Council the City may pursue one, or more of the following actions:

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owners, of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owners for failure to repair, remove or demolish said Building in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owners show that the property is the Owner's lawful homestead and;
- III) the Owners may be confined in jail as permitted by state law and;
- IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the City Clerk is ordered to provide notice of this hearing to the record Owners and all other persons having an interest in the property as provided by law.

According to the real property records of El Paso County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Housing Compliance Office of the Building Permits and Inspections, 5th floor, City Hall, no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

Mr. Jorge Artalejo, citizen, was present and provided comment.

Motion made by Representative Cook, seconded by Representative Escobar and unanimously carried to approve the above Resolution.

*NOTICE OF PUBLIC HEARING

To All Interested Parties:

You are hereby notified that at 9:00 a.m. on the 29th day of July, 2003 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 117-119 W. Overland Avenue, in El Paso, Texas, which property is more particularly described as:

Lot: A portion of Block 15, Mills Map, an Addition to the City of El Paso, El Paso County, Texas

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, William Abraham as Trustee for Franklin Group, L. P., is listed as the Owner of the real property described herein.

The Owner of said property is hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owner, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to bring the building into compliance with Titles 17 and 18 of the code as mandated by Section 18.52.040 of the Municipal Code, and to specify the time it will take to reasonably perform the work.

At the hearing, the owner, lien holders, mortgagees, or any other person having an interest in the property must present to City Council any evidence showing that the structure or part thereof is safe.

All documents such as building plans, specifications, drawings, reports from design professionals and any other required documents must be presented to City Council at this hearing.

The time periods, which govern the completion of work ordered by Council, are outlined in Subsection 18.52.040 (3) pursuant to State law.

If the Owner fails, neglects or refuses to comply with the order of City Council the City may pursue one, or more of the following actions:

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owner, of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owner for failure to repair, remove or demolish said Building in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owner shows that the property is the Owner's lawful homestead and;
- III) the Owner may be confined in jail as permitted by state law and;
- IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the City Clerk is ordered to provide notice of this hearing to the record Owner and all other persons having an interest in the property as provided by law.

According to the real property records of El Paso County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Housing Compliance Office of the Building Permits and Inspections, 5th floor, City Hall, no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

.....
*Motion made, seconded and unanimously carried that the street and drainage improvements in Resler Drive Extension be accepted for maintenance by the City effective July 2, 2003 at 12:00 noon. The improvements within the stated limits have been completed in accordance with the approved plans and specifications.

Street: Resler Drive Extension
Owner/Developer: City Of El Paso/Texas Department Of Transportation
Consultant: CSA Engineering

Street Improvements:

Resler Drive- from the north property line of Helen of Troy Drive to the south property line of Woodrow Bean Trans-Mountain Road
3 ft. x 3 ft. x 2" Flat Piece of Flagstone with engraving that says " in memory of Matthew Borowski " located in the median
11,616 ft. x 12 ft. " Pat O'Rourke Memorial Hike/Bike Trail "
108.34 ft. x 43 ft. North Resler Drive Bridge; 88 ft. x 48 ft. South Resler Drive Bridge; and 11,332 ft. x 5 ft. Sidewalk

Drainage Improvements:

Storm Drainage System - 13-10 ft. x 15 ft. Multiple Box Culverts with Concrete/Stone Rip-Rap; 2-5 ft. Concrete Sidewalk Flumes; 1-5 ft. Concrete Flume 140.70 ft. of 72" R.C.P. and 172.80 ft. of 36" R.C.P. Up Stream/Down Stream Culvert with Flared Wings
14-2 Grate Drop Inlets Type FF; 3-4 Grate Drop Inlets Type FF; 3-3 Grate Drop Inlets Type FF; 2-1 Grate Drop Inlet Type F; 5-Safety End Treatments Type II; 8-Junction Boxes (Manholes); 1-Concrete Collar with Outlet Structure; 1,008 ft. of 42" R.C.P.; 345 ft. of 30" R.C.P.; 2,820 ft. of 24" R.C.P.; and 1-45 ft. of 24" R.C.P. (Pipe Outlet)

60 ft. Drainage Easement R.O.W. - located at the east and the west sides of Resler Drive; 826.63 ft. x 20 ft. x 9 ft. Concrete Drainage Channel with Spillway and Stilling Basin; 1,112 Masonry Rock Wall Fence; 1002 ft. Retaining Wall Fence; 729 ft. Chain Link Fence; and 2-16 ft. x 6 ft. high Double Swing Gates

133.09 ft. x 11 ft. x 4 ft. Concrete Drainage Channel with Concrete/Stone Rip-Rap (2-48" R.C.P. Pipe Culvert); and 30 ft. x 6 ft. high Rock Wall Fence

.....
*Motion made, seconded and unanimously carried that the street and drainage improvements in the following subdivision to be accepted for maintenance by the City. The improvements within the stated limits have been completed in accordance with the approved plans and specifications.

Street: Resler Estates
Owner/Developer: E. P. Northeast Hills I, LTD.
Consultant: Conde Engineering

Street Improvements:

Marimba Drive - from the southeast subdivision boundary line to the end of cul-de-sac

Drainage Improvements:

20 ft. Drainage R.O.W. - between Lots 11 and 12, Block 1; 91 ft. x 19 ft. x 6.0" Concrete Flume; 50 ft. x 3 ft. Rock Wall Fence with Wrought Iron Fence; and 1-18 ft. Wrought Iron Gate

Storm Drainage System - located at Marimba Drive; 1-2 Grate Drop Inlet Type I; 213 ft. of 18" R.C.P.; and 405 ft. Rock Wall Fence

.....
*Motion made, seconded and unanimously carried to approve the following provisional appointment in accordance with Article VI, Section 6.6-2, of the Civil Service Charter Provisions:

Director of Building Permits and Inspections (1)
.....

*Motion made, seconded and unanimously carried to approve the Staffing Table Change for Information Technology

Add 1.00 PC Lan I PM75

*Motion made, seconded and unanimously carried to approve the request from Robert R. Garcia of the Fleet Services Department for Special Sick Leave.

*Motion made, seconded and unanimously carried that the following installment agreements for AD VALOREM taxes be approved in the amount shown and that the Mayor be authorized to sign said agreements on behalf of the City:

- A. PID #H453-999-0670-6100, \$196.13 per month installments on a balance of \$4,118.73 for 1998 & 1999 taxes; Sandra M. Deverney – 2524 Copper Ave.
- B. PID #M320-999-0020-1500, \$296.99 per month installments on a balance of \$3,563.88 for 2001 & 2002 taxes; Armando & Josefina Rosales – 8030 Disney Dr.
- C. PID #X579-000-2350-1070, \$357.32 per month installments on a balance of \$4,287.84 for 2002 taxes; Mohammad T. Mostajeran & Roya Mostajeran – 13200 Montana.

*Motion made, seconded and unanimously carried that the following tax refunds be approved:

- A. Rudolph Sandoval in the amount of \$1,000.00, overpayment of 2001 taxes.
(PID #C050-999-2400-9100)
- B. Transamerica Real Estate Tax Service in the amount of \$2,262.91, overpayment of 2002 taxes.
(PID #C340-999-062A-2700)
- C. Raymond and Michelle Baer in the amount of \$2,355.34, overpayment of 2002 taxes.
(PID #C340-999-1120-0900)
- D. Lana Garner in the amount of \$7,160.72, overpayment of 2001 taxes.
(PID #C801-999-0060-1000)
- E. Talal D. Atiyah & Maria Angela Villalobos Atiyah in the amount of \$9,971.27, overpayment of 2002 taxes. (PID #C815-999-0010-8300)
- F. Wells Fargo Real Estate Tax Services, LLC in the amount of \$9,489.35, overpayment of 2002 taxes. (PID #C813-999-0010-1300)
- G. Transamerica Real Estate Tax Service in the amount of \$2,481.68, overpayment of 2001 taxes.
(PID #I258-999-0010-8150)
- H. Transamerica Real Estate Tax Service in the amount of \$2,171.88, overpayment of 2000 taxes.
(PID #K216-999-0230-0100)
- I. Kaplans Mortgage Company in the amount of \$2,559.24, overpayment of 2002 taxes.
(PID #M576-999-0220-4500)
- J. Hector Renteria in the amount of \$1,673.30, overpayment of 2002 taxes.
(PID #R252-999-0010-6100)
- K. Network Funding Corporation in the amount of \$1,819.96, overpayment of 2002 taxes.
(PID #R330-999-0100-7100)
- L. Cynthia Douglas-Ybarra in the amount of \$725.02, overpayment of 2002 taxes.
(PID #S816-999-1280-9100)
- M. Noel Guerra in the amount of \$1,982.86, overpayment of 2002 taxes.
(PID #T218-999-0010-4600)
- N. Javier Araujo in the amount of \$536.35, overpayment of 2002 taxes.
(PID #V119-000-0010-0200)
- O. Wells Fargo Real Estate Services in the amount of \$1,635.47, overpayment of 2002 taxes.
(PID #V893-999-2580-6000)

- P. Citi Mortgage in the amount of \$1,932.74, overpayment of 2002 taxes.
(PID #V897-999-0400-0900)
- Q. Charter Bank in the amount of \$1,924.50, overpayment of 2001 taxes.
(PID #V927-999-0100-1500)

.....

*Motion made, seconded and unanimously carried that the Director of Purchasing be authorized to issue Purchase Order as necessary to Identix Inc. for annual maintenance and support, including emergency maintenance support, of its proprietary system, the FingerPrinter CMS Live Scan System.

Identix Inc. is the exclusive sole source provider of the FingerPrinter CMS Live Scan System. As proprietor of the system, Identix Inc. is the only known source that can provide the required system maintenance and support to its proprietary technology.

This system, currently installed at the El Paso International Airport, is needed to remain in compliance with an FAA issued directive requiring the El Paso International Airport to submit the fingerprints of all persons requiring unescorted access to the Security Identification Display Area (SIDA) and to only employ at the El Paso International Airport those persons that have passed an FBI ten year Criminal History Records Check.

Furthermore, it is requested that staff be authorized to negotiate, the City Attorney's Office to review and that the Mayor execute any additional documents and/or licensing agreements as necessary. Funds for this expenditure shall be made available in the following account:

Department: Department of Aviation
Funds Available: 62620002-502206
Funding Source: Airport Operating Service Fund
Amount: \$10,000.00 (annual estimate)

.....

*Motion made, seconded and unanimously carried to award Bid No. 2003-154 Tasers, M26 Advanced and Accessories

Award to: Western Firearms
Albuquerque, NM

Items: All
Amount: \$105,414.30

Department: Police
Funds available: 503109-01101-21010062
503120-01101-21010060
508007-16411-21150060-P500232
508007-16371-21150060-P500231

Funding source: General Funds/Government Operations - \$ 48,516.00
General Funds/Government Operations - \$ 8,995.00
State Confiscated Funds \$ 31,184.10
Federal Confiscated Funds \$ 16,719.20

Total award: \$105,414.30

The Police and Purchasing Departments recommend award as indicated to the sole responsive, responsible offer meeting specifications, which was submitted by Western Firearms.

This is a fixed price, single (one-time) purchase, to purchase Tasers and Accessories. There is an option to purchase up to one hundred percent (100%) of the original contract quantities, at the same unit price, if the option is exercised within one hundred eighty (180) days from the date of award of the contract. No prompt payment discount is offered.

.....

*Motion made, seconded and unanimously carried to award Bid No. 2003-168 Paper Sundries

Award to: Vendor 1: Southwestern Mill Distributor
El Paso, Texas
Items: 1 and 6
Amount: \$37,695.00 (estimated annually)

Vendor 2: Regal Supply & Chemical
El Paso, Texas
Item: 8
Amount: \$ 7,700.00 (estimated annually)

Department: Various
Funds available: 31010325-31010326-31010328-31010350-503111
Funding source: General Funds/Operational Budget
Total award: \$45,395.00

The Municipal Services/ Building Maintenance and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

Items #2, 3, 4, 5, 7, 9, 10, 11, & 12 will not be awarded. These Items are no longer needed or used by the Departments facilities.

Vendor #1 offers the City the option to extend the term of the contract at the same unit prices for one (1) additional year if the option is exercised within one (1) year from the date of the award.

Vendor #1 also offers the City a prompt payment discount of 1% 10 days.

This is a Requirements Type Contract with an initial term of Twenty-Four (24) months.

.....
*Motion made, seconded and unanimously carried to approve budget transfer BT2003-726 HEALTH

Increase in contract due to one-time purchase of computer workstations and reallocation for one-time purchase of equipment and supplies for bio-terrorism testing.

Increase	\$ 8,799	to	41150015/G41032206068/406001	State Grt Proc
Increase	\$ 8,799	to	41150015/G41032206068/508010	DataProcEq
Decrease	\$232,140	from	41150015/G41032206068/508003	Bldg Imprvnts
Increase	\$232,140	to	41150015/G41032206068/508012	Med/Scient Eq
Decrease	\$ 10,000	from	41150015/G41032206068/508003	Bldg Imprvnts
Increase	\$ 10,000	to	41150015/G41032206068/503101	Min Off Equip
Decrease	\$ 6,000	from	41150015/G41032206068/508003	Bldg Imprvnts
Increase	\$ 6,000	to	41150015/G41032206068/503112	Clin Med Sup
Decrease	\$ 1,000	from	41150015/G41032206068/508003	Bldg Imprvnts
Increase	\$ 1,000	to	41150015/G41032206068/503100	Office Sup

.....
*Motion made, seconded and unanimously carried to approve budget transfer BT2003-731 AIRPORT

Transfer of funds to cover increased cost of temporary service field maintenance workers who are relieving the field maintenance workers who are involved in the Continental Median Project.

Increase	\$22,000	to	62620011/40101/502001	Temp Servs
Increase	\$43,000	to	62620013/40101/502001	Temp Servs
Decrease	\$65,000	from	62620001/40101/504405	Contingency

*Motion made, seconded and unanimously carried to approve budget transfer BT2003-733 AIRPORT

Transfer of funds to cover increased cost of Airport property litter removal. Shortfall created by increase in management fee paid to Texas Industry Blind and Handicapped for contract oversight.

Increase	\$11,000	to	62620005/40101/502206	MntServCont
Decrease	\$11,000	from	62620001/40101/504405	Contingency

.....
*Motion made, seconded and unanimously carried to approve budget transfer BT2003-734 AIRPORT

Transfer of funds to cover increased cost of terminal building maintenance supplies. Increase is to cover normal building maintenance for the rest of the fiscal year, replacement of armrests throughout the terminal and any additional costs associated with the ongoing terminal improvement projects.

Increase	\$135,000	to	62620005/40101/503200	BldgMaint Sup
Increase	\$135,000	to	62620005/40101/407001	Intrfd Trf In
Increase	\$135,000	to	62620018/P50000241021/407002	Est Rev
Increase	\$135,000	to	62620018/P50000241021/507001	Intrfd Trf Out

.....
*Motion made, seconded and unanimously carried to approve budget transfer BT2003-739 BUILDING & PLANNING SERVICES

Building and Planning Services proposes to transfer appropriation of \$350,000 to fund design for new Clint Landfill Cell. Funding source is FY03 sale of CO's.

Decrease	\$350,000	from	31260001/PPW030260601/508027	Construction
Increase	\$ 20,000	to	31260001/PPWFA0301960636/508022	CityAdmChgs
Increase	\$300,000	to	31260001/PPWFA0301960636/508050	Design
Increase	\$ 30,000	to	31260001/PPWFA0301960636/508051	PrgMgmt
Increase	\$350,000	to	31260001/PPW030260601/507001	Intrfd Trf
Increase	\$350,000	to	31260001/PPWFA0301960636/407001	Intrfd Trf

.....
Motion made, seconded and unanimously carried to move to the Regular Agenda BT2003-740 BUILDING & PLANNING SERVICES

Representative Rojas requested clarification on the budget transfer request.
Mr. Bill Chapman, Deputy CAO of Financial and Administrative Services/Chief Financial Officer, provided comment.

Motion made, seconded and unanimously carried to approve budget transfer BT2003-740 BUILDING & PLANNING SERVICES

Building and Planning Services proposes to appropriate \$1,300,000 to fund the County's share of construction for the Animal Shelter. This is for the County's share.

Increase	\$1,300,000	to	31255007/PPW005127699/406023	Cnty Particip
Increase	\$1,300,000	to	31255007/PPW005127699/508027	Construction

.....
*Motion made, seconded and unanimously carried to approve budget transfer BT2003-744 BUILDING & PLANNING SERVICES

Building and Planning Services proposes to transfer appropriation of \$100,000 to fund remodeling restrooms at Volar Bldg. Funding source is FY01 sale of CO's.

Increase	\$100,000	to	31250202/PPW005000327223/407000	Intrfd Trf
Increase	\$100,000	to	31250202/PPW005027216/507000	Intrfd Trf
Decrease	\$100,000	from	31250202/PPW005027216/508050	Design
Increase	\$ 1,000	to	31250202/PPW005000327223/508022	CityAdmChgs
Increase	\$ 3,000	to	31250202/PPW005000327223/508026	Inspection
Increase	\$ 86,000	to	31250202/PPW005000327223/508027	Construction
Increase	\$ 10,000	to	31250202/PPW005000327223/508050	Design

.....
 *Motion made, seconded and unanimously carried to approve budget transfer BT2003-761 OFFICE OF MANAGEMENT AND BUDGET

To establish needed appropriations required for Police RMS System.

Increase	\$1,000,000	to	04102009/P54000927156/405000	Invest Interest
Increase	\$1,000,000	to	04102009/P54000927156/508010	DataProcEq

.....
 Motion made, seconded and unanimously carried to approve the request of Steve Yellen to use amplification (2 speakers) at Madeline Park on July 12, 2003 from 4:00 p.m. to 8:00 p.m. Approximately 5 persons will take part and 50 spectators are anticipated. PERMIT NO. 03-101

.....
 *Motion made, seconded and unanimously carried to approve the request of Telly Williams to use amplification (1 amplifier and 1 speaker) at San Jacinto Plaza on July 5, 2003 from 1:00 p.m. to 7:00 p.m. Approximately 1 person will take part and 40-60 spectators are anticipated. PERMIT NO. 03-102

.....
 Motion made, seconded and unanimously carried to postpone three (3) weeks an Ordinance changing the zoning of Tract 21, O.A. DANIELSON SURVEY NO. 310, El Paso, El Paso County, Texas (George Dieter and Physicians Drive) from R-3 (Residential) to A-O (Apartment-Office) and imposing certain conditions. The penalty is as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant/Representative: Lee Urias, 238 N. Zaragoza Rd., El Paso, TX 79907. ZC-02071

.....
 Motion made by Representative Cook, seconded by Representative Cushing and carried to delete an Ordinance providing for the issuance of City of El Paso, Texas, combination Tax and Revenue Certificates of Obligation, Series 2003A, in the aggregate principal amount of \$14,500,000; levying a tax in payment thereof; awarding the sale thereof, approving the official statement; and enacting other provisions relating thereto.

AYE: Representatives Austin, Cushing, Lozano, Cook, Escobar, Rojas, Cobos

ABSTAIN: Representative Power

NOTE: Item was discussed together with Item #28 - Discussion on alternative funding for the Plaza Theater.

Mr. Bill Chapman, Deputy CAO of Financial and Administrative Services/Chief Financial Officer, provided a PowerPoint presentation regarding funding sources for the Plaza Theatre renovation project. He responded to questions from Representatives Cook, Power and Cushing.

Mr. Norman Gordon, Bond Counsel, provided answers to Council Members' questions.

Ms. Sylvia Borunda-Firth, Assistant City Attorney, stated that the Plaza Theatre renovation project estimated cost was \$26.5 million; however, the cost of the project was contractually divided between the City and the El Paso Community Foundation, not an exact 50/50 split.

Representatives Cook, Power, Cushing and Austin made remarks.

Ms. Rita Rodriguez, City Attorney, made comments.

Ms. Rita Rodriguez, City Attorney, clarified that the Council Members were suspending the Rules of Order regarding the use of the electronic voting system.

Motion made, seconded and unanimously carried to postpone five (5) weeks an Ordinance amending that Lease Agreement dated November 3, 1981, between the City of El Paso and the YWCA, for the purpose of (i) extending the term of the lease to June 17, 2028; (ii) increasing the amount of investment in improvements made on the property by the Lessee to a minimum of \$800,000 during the term of the lease; (iii) expanding the property leased to the Lessee as set forth in Exhibit "B"; (iv) authorizing Lessee to use the property to develop mixed-income senior housing; (v) increasing the level of fire and casualty, and liability insurance provided by the Lessee to statutory levels; and (vi) correcting certain typographical errors in the original lease, including the spelling of "miscellaneous", and the re-numbering of paragraphs 18 and 19 to reflect the correct sequence.

Motion made, seconded and unanimously carried to postpone one (1) week an Ordinance changing the zoning of a portion of Tract 8B and a portion of Tract 5G, Block 11, UPPER VALLEY SURVEYS, El Paso, El Paso County, Texas (Borderland Road North of Artcraft Road) from R-F (Ranch and Farm) to R-3A (Residential). The penalty is as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: Adobe Haciendas Inc. / Representative: Sitework Engineering, LLC; 4120 Rio Bravo Drive Suite 102, El Paso, TX 79902. ZC-03015

The City Clerk read an Ordinance entitled: **AN ORDINANCE REPEALING ORDINANCE 14996, WHICH CREATED TAX INCREMENT FINANCING DISTRICT NO. TWO (TIF #2).**

Motion duly made by Representative Cook, seconded by Representative Escobar that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Lozano, Cook, Power, Rojas and Cobos

NAYS: Council Member Escobar **Absent:** None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

Ms. Diana Nuñez, Deputy City Clerk, explained, in Spanish, that the TIF Ordinances had been repealed.

Ms. Lisa Turner, citizen, commented that TIFs were a tool that would bring economic development to the City.

Mr. Luis Sariñana, citizen, thanked the Council Members for repealing the TIFs.

The City Clerk read an Ordinance entitled: **AN ORDINANCE REPEALING ORDINANCE 14999 WHICH CREATED TAX INCREMENT FINANCING DISTRICT NO. THREE (TIF #3).**

Motion duly made by Representative Cook, seconded by Representative Escobar that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Lozano, Cook, Power, Rojas and Cobos

NAYS: Council Member Escobar Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

See above for comments.

ORDINANCE 15476

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF A PORTION OF TRACT 4, BLOCK 10, BOOTHVILLE SUBDIVISION, EL PASO, EL PASO COUNTY, TEXAS (8621 NORTH LOOP) FROM R-F/SP (RANCH-FARM/SPECIAL PERMIT) TO C-3 (COMMERCIAL). THE PENALTY BEING AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO MUNICIPAL CODE.**

Ms. Kim Forsyth, Urban Planner, provided a PowerPoint presentation and provided information regarding the zoning change request, which was originally to C-4 (Commerical). She stated that the DCC (Development Coordinating Committee) and CPC (City Plan Commission) denied the zoning change request; therefore the applicant was appealing to Council Members. She stated that there were no opponents to the zoning change request.

Mr. Luis Sariñana, citizen, commented on the zoning change request and stated that he was able to provide Council Members with a list of signatures of individuals not opposed to the zoning change request.

Ms. Lisa Turner, citizen, commented that C-3 zoning would be better suited for the area.

Representative Power asked questions of Mr. Enrique Castro, applicant for the zoning change request.

Mr. Castro responded appropriately.

Motion duly made by Representative Rojas, seconded by Representative Lozano, that the Ordinance be adopted, as revised. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Lozano, Cook, Power, Rojas and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

ORDINANCE 15477

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. SU-03005, TO ALLOW FOR A GOVERNMENTAL USE ON A PORTION OF SECTION 17, BLOCK 81, TOWNSHIP 2, T & PRRC SURVEYS, EL PASO, EL PASO COUNTY, TEXAS (5001 FRED WILSON ROAD) PURSUANT TO SECTION 20.46.040.A (ZONING) OF THE EL PASO MUNICIPAL CODE.**

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Cook, seconded by Representative Escobar, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Lozano, Cook, Power, Rojas and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

ORDINANCE 15478

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING A SPECIAL PRIVILEGE TO THE CENTRAL BUSINESS ASSOCIATION OF EL PASO, INC., TO PERMIT TEMPORARY SIDEWALK VENDING FOR PARTICIPATING MERCHANTS WITHIN CERTAIN PUBLIC RIGHTS-OF-WAY IN DOWNTOWN EL PASO FROM JULY 4, 2003 THROUGH JULY 3, 2004. (FEE: \$100.00 PER 3' X 9' VENDING AREA OR \$200.00 PER 6' X 9' VENDING AREA, SP-03009)**

Ms. Lisa Turner, citizen, asked questions regarding the duration of the Special Privilege and stated that the City would be in violation of its Charter specifically collecting a "reasonable fee".

Ms. Patricia D. Adauto, Deputy CAO, Building and Planning Services, provided explanation.

Mr. Michael E. Breiting, Executive Director, El Paso Central Business Association, El Paso Downtown Management District, provided comments.

Motion duly made by Representative Cobos, seconded by Representative Cook, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Lozano, Cook, Power, Rojas and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

ORDINANCE 15479

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 2, ADMINISTRATION AND PERSONNEL, CHAPTER 2.16, ZONING BOARD OF ADJUSTMENT, SECTION 2.16.050, SPECIAL EXCEPTIONS, OF THE EL PASO MUNICIPAL CODE TO ADD CERTAIN SPECIAL EXCEPTIONS AS TO SPACE, YARDS AND SETBACKS AND TO AMEND THE ADMINISTRATIVE LANGUAGE THEREIN. THE PENALTY IS AS PROVIDED BY SECTION 20.68.010 OF THE EL PASO MUNICIPAL CODE.**

Ms. Kim Forsyth, Urban Planner, provided explanation.

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Cook, seconded by Representative Escobar, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Lozano, Cook, Power, Rojas and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
RESOLUTION

WHEREAS, the Director for Building Permits and Inspections and the Fire Marshal of the City of El Paso have conducted an investigation and have reported to the City Council in writing that they are of the opinion that the structure located on the property at 7105 Orange Tree Lane, in El Paso, Texas, which property is more particularly described as follows:

Lot: 17, Block 4, Hidden Valley Unit One, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on File in Book 23, Page 3, Plat Records of El Paso County, Texas

is dilapidated, substandard, and unfit for human habitation; is a hazard to public health, safety, and welfare; does not meet the minimum standards for continued use and occupancy contained in Titles 17 and 18 of the Municipal Code which are adopted and incorporated by reference into Section 18.52; and

WHEREAS, **Frances W. Montalvo** record Owner, and all mortgages and lienholders were duly notified according to law to appear at a public hearing before City Council at 9:00 a.m. on June 24th, 2003; which was postponed until July 1st, 2003; and

WHEREAS, NO ONE, APPEARED,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That City Council having heard the evidence, makes the following findings:
 - a. That the structure located on said property is condemned as substandard, unfit for human habitation or use, and therefore a hazard to the public health, safety, and welfare; and
 - b. That the structure is not in substantial compliance with municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and
 - c. The structure's certificate of occupancy is hereby revoked; and
 - d. That the structure can be repaired.
2. That the City Council hereby orders Owners to comply with the following requirements:
 - a. That the Building be secured within (30) days and maintained secured until Rehabilitated; and
 - b. That the premises be cleaned of all weeds, trash and debris within (30) days and maintained clean of all weeds, trash and debris; and
 - c. That a public hearing be scheduled for **August 19th, 2003**, in the City Council Chambers, to determine if the Council order has been complied with and, if not, to determine penalties; and
 - d. That the Owner of said Building are hereby ordered to comply with all requirements of the Resolution; and

- e. The owner is advised that in order to obtain a new certificate of occupancy, the entire building and its service systems must be brought into compliance with the current codes; and
 - f. That upon failure of the Owners to comply with this Resolution, any mortgagees, lienholder, and other persons having an interest in the property have an additional ten (10) days to secure the Building and maintain the Building secure and clean the premises of all weeds, trash, and debris and maintain the premises clean; and
3. That upon failure of the Owner to comply with this Order, the City of El Paso through its Director for Building Permits and Inspections shall secure the Building and maintain the Building secure and clean the premises of all weeds, trash, and debris and maintain the premises clean at its own expense, but for and on account of the Owner of said property; and
 4. That said Owner shall become personally liable for all costs incurred by City in connection with securing and maintaining the Building secure and cleaning the premises and maintaining the premises clean of all weeds, trash and debris; and
 5. That the costs incurred by the City in connection with securing the building and cleaning the premises of all weeds, trash, and debris shall become due and payable within thirty (30) days of the date of completion of the work and such cost shall be assessed as a lien against the property unless paid; and
 6. That upon failure of the Owner to comply with this Order, one or all of the following actions will be taken:
 - a. The City will perform any and all work needed to bring the property into compliance with this order, at its own expense but for and on account of the Owner of said property, the cost of which shall be assessed as a lien against the property; and
 - b. That upon failure of the Owner to comply with this order the City Council may assess a civil penalty against the property Owner in an amount not to exceed \$1,000.00 a day for each violation or, if the Owner shows that the property is the Owner's lawful homestead, in an amount not to exceed ten (10) dollars a day for each violation; and
 - c. That upon failure of the Owner to comply with this order, the Owner may be confined in jail as permitted by state law; and
 7. That upon failure of the Owner, any mortgages or lienholders to restore the Building so that it complies with all relevant City Code requirements, the City of El Paso, if applicable, may bring an action in District Court to request appointment of a receiver for the rehabilitation of said property pursuant to Section 214.003 of the Texas Local Government Code; and
 8. The Owner any mortgagees, or lienholders have a right to appeal these findings to a court of competent jurisdiction within ten (10) days after notice of this Resolution. The findings shall become final after ten (10) days of receipt of Notice; and
 9. That any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of assessment until paid in full; and
 10. That the City Clerk is ordered to cause copies of this Resolution to be served on the record Owners and all other persons having interest in the property as provided by law.

According to the real property records of El Paso County, you own the property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

Mr. Thomas Maguire, Building Permits & Inspections Department, presented case to Council Members and gave the department's recommendation(s).

Motion made by Representative Lozano, seconded by Representative Power and unanimously carried to approve the above Resolution.

.....
*Motion made, seconded and unanimously carried to postpone one (1) week the public hearing to determine if the property located at 8126 Lowd Avenue, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. The owner of this property, Joaquina Castillo, 8116 Algerita Court, El Paso, Texas 79915-4604, has been notified of the violations at this property. Delinquent taxes in the amount of \$1,332.47.
.....

RESOLUTION

WHEREAS, the Director for Building Permits and Inspections and the Fire Marshal of the City of El Paso have conducted an investigation and have reported to the City Council in writing that they are of the opinion that the structure located on the property at 7358 Mimosa Avenue, in El Paso, Texas, which property is more particularly described as follows:

Lot: 23, Block 26, Cedar Grove Park Subdivision Unit Two, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on File in Book 3, Page 64, Plat Records of El Paso County, Texas

is dilapidated, substandard, and unfit for human habitation; is a hazard to public health, safety, and welfare; does not meet the minimum standards for continued use and occupancy contained in Titles 17 and 18 of the Municipal Code which are adopted and incorporated by reference into Section 18.52; and

WHEREAS, **Julia J. Amaya**, record Owner, and all mortgages and lienholders were duly notified according to law to appear at a public hearing before City Council at 9:00 a.m. on June 24th, 2003; which was postponed until July 1st, 2003

WHEREAS, NO ONE, APPEARED,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That City Council having heard the evidence, makes the following findings:
 - a. That the structure located on said property is condemned as substandard, unfit for human habitation or use, and therefore a hazard to the public health, safety, and welfare; and
 - b. That the structure is not in substantial compliance with municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and
 - c. The structure's certificate of occupancy is hereby revoked; and
 - d. That the structure can be repaired.

2. That the City Council hereby orders the Owner to comply with the following requirements:
 - a. That the Building be secured within (30) days and maintained secure until rehabilitated; and
 - b. That the premises be cleaned of all weeds, trash and debris within (30) days and maintained clean of all weeds, trash and debris; and
 - c. That a public hearing be scheduled for **August 19th, 2003**, in the City Council Chambers, to determine if the Council order has been complied with and, if not, to determine penalties; and
 - d. That the Owner of said Building is hereby ordered to comply with all requirements of the Resolution; and
 - e. The owner is advised that in order to obtain a new certificate of occupancy, the entire building and its service systems must be brought into compliance with the current codes.
 - f. That upon failure of the Owner to comply with this Resolution, any mortgagees, lienholder, and other persons having an interest in the property have an additional ten (10) days to secure the Building and maintain the Building secure and clean the premises and maintain the premises clean of all weeds, trash, and debris; and
3. That upon failure of the Owner to comply with this Order, the City of El Paso through its Director for Building Permits and Inspections shall secure the Building and maintain the Building secure and clean the premises and maintain the premises clean of all weeds, trash, and debris and maintain clean at its own expense, but for and on account of the Owner of said property; and
4. That said Owner shall become personally liable for all costs incurred by City in connection with securing and maintaining the Building secure and cleaning the premises and maintain the premises clean of all weeds, trash and debris, and maintaining the premises clean; and
5. That the costs incurred by the City in connection with securing the building and cleaning the premises of all weeds, trash, and debris shall become due and payable within thirty (30) days of the date of completion of the work and such cost shall be assessed as a lien against the property unless paid; and
6. That upon failure of the Owner to comply with this Order, one or all of the following actions will be taken:
 - a. The City will perform any and all work needed to bring the property into compliance with this order, at its own expense but for and on account of the Owner of said property, the cost of which shall be assessed as a lien against the property; and
 - b. That upon failure of the Owner to comply with this order the City Council may assess a civil penalty against the property Owner in an amount not to exceed \$1,000.00 a day for each violation or, if the Owner shows that the property is the Owner's lawful homestead, in an amount not to exceed ten (10) dollars a day for each violation; and
 - c. That upon failure of the Owner to comply with this order, the Owner may be confined in jail as permitted by state law; and
7. That upon failure of the Owner, any mortgages or lienholders to restore the Building so that it complies with all relevant City Code requirements, the City of El Paso, if applicable, may bring an action in District Court to request appointment of a receiver for the rehabilitation of said property pursuant to Section 214.003 of the Texas Local Government Code; and
8. The Owner, any mortgagees, or lienholders have a right to appeal these findings to a court of competent jurisdiction within ten (10) days after notice of this Resolution. The findings shall become final after ten (10) days of receipt of Notice; and

9. That any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of assessment until paid in full; and
10. That the City Clerk is ordered to cause copies of this Resolution to be served on the record Owner and all other persons having interest in the property as provided by law.

According to the real property records of El Paso County, you own the property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

Mr. Thomas Maguire, Building Permits & Inspections Department, presented case to Council Members and gave the department's recommendation(s).

Motion made by Representative Lozano, seconded by Representative Escobar and unanimously carried to approve the above Resolution.

.....
*Motion made, seconded and unanimously carried to postpone one (1) week the public hearing to determine if the property located at 8821 Harding Way, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. The owner of this property, Amparo R. Munoz, 8821 Harding Way, El Paso, Texas 79907, has been notified of the violations at this property.

.....
*Motion made, seconded and unanimously carried to delete the public hearing to determine if the Council Resolution of May 6th, 2003, for the property located at 320 Wenda Way, in the City of El Paso (legal description on file with the City Clerk) has been complied with and if not to determine penalties. The owner of record as of February 18th, 2003, Eva M. Capone, 139 Buckwalter Road, Phoenixville, PA 19460-2375, has been notified of the violations at this property. As of April 13th, 2003, \$16,269.74 in taxes are owed.

.....
*Motion made, seconded and unanimously carried to delete the public hearing to determine if the property located at 500 W. San Antonio Avenue AKA 504 ½ W. San Antonio Avenue, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. The owner of record as of April 23rd, 2003, Hun Seo, 12224 Chisholm Pass Drive, El Paso, Texas 79936, has been notified of the violations at this property. As of May 5th, 2003, no taxes are owed.

.....
Motion made by Representative Austin, seconded by Representative Cook and unanimously carried to approve Conditional "B" building permits for Ridge View Estates Unit 19 on the finding of economic hardship.

Ms. Irene Ramirez, Assistant Deputy Director of Engineering, provided information regarding Conditional "A" and "B" building permits.

Mr. Arlen Parish, project manager, was present and provided comments.

.....
Motion made by Representative Austin, seconded by Representative Cook and unanimously carried to approve Conditional "B" building permits for Ridge View Estates Unit 19 Replat "A" on the finding of economic hardship.

ADDITION TO THE AGENDA

Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That Representative Robert A. Cushing, Jr. and Representative Vivian Rojas are appointed to the Board of Directors of the El Paso Central Appraisal District Board.

Ms. Lisa Turner, citizen, was present and commented on property tax rolls.

Motion made by Representative Rojas, seconded by Representative Escobar and unanimously carried to approve the above Resolution.

.....
***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

Appointing Patricia D. Adauto, Deputy Chief Administrative Officer, as member of the Transportation Policy Board from the City of El Paso, Texas, for the Metropolitan Planning Organization, for the El Paso Urban Transportation Study area.

.....
*Motion made, seconded and unanimously carried to approve the Staffing Table Change for Airport

Add 1.00 Secretary II GS16

.....
Motion made, seconded and unanimously carried to move to the Regular Agenda Bid No. 2003-152 Automated External Defibrillators

Representative Cook questioned whether or not Access CardioSystems, Inc. met the bid specifications.

Medical Assistant Chief Loretta Jordan was present and provided explanation.

Representatives Escobar and Cushing provided comments.

Mr. Clark Hood, Cardiac Science representative, was present and stated his concerns regarding awarding the bid to Access CardioSystems, Inc.

Representative Power questioned whether or not the specifications had been changed during the bidding process.

Mr. Chapman responded no the specifications had not been changed.

Mr. Eric Heer, Vice President of Marketing and Business Development, Access CardioSystems, Inc., was present and provided comments for Council Members.

Ms. Stephanie Ketcher, American Heart Association, explained that the Heart Association, which is providing funding for purchase of the units, could not delay the matter any longer.

Motion made by Representative Cook, seconded by Representative Cobos and carried to award Bid No. 2003-152 Automated External Defibrillators

Award to:	Access CardioSystems, Inc.	
	Concord, MA	
Item:	Item No. 1 – Qty. 86 @ \$1,180.00/each	
	Option O-1 – Qty. 11 @ No Charge	
	Option O-4 – Qty. 6 @ No Charge	
Amount:	\$106,200.00	
Department:	Police	
Funds available:	508006-07314-21150073-G210414	\$ 50,375.00
	American Heart Assoc. Grant Texas AED	
	Placement Program Phase II Grant	
	508006-27251-04250203-PMB0003130	\$ 51,105.00
	FY02 Certificates of Obligation Equipment -	
	City Equipment	
	01153001-PD10422-16501-504420	\$ 3,540.00
	District One Special Projects Fund	
	01010006-01101-504420	\$ 1,180.00
	District Six Special Projects	
	(Discretionary Funds)	
Total award:	\$106,200.00	

The Police, Fire/Medical and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties. A lower offer was received, however, did not meet specifications. See backup for details.

This is a fixed-price, single (one-time) purchase, to purchase Automated External Defibrillators. There is an option to purchase up to one hundred percent (100%) of the original contract quantities, at the same unit price, if the option is exercised within six (6) months and within twelve (12) months from the date of award of the contract. No prompt payment discount is offered.

AYE: Representatives Austin, Cook, Power, Escobar, Cobos
NAY: Representatives Cushing and Rojas
ABSTAIN: Representative Lozano

SECOND ADDITION TO THE AGENDA

*Motion made, seconded and unanimously carried to delete the Resolution appointing Mayor Joe Wardy as member of the Transportation Policy Board from the City of El Paso, Texas, for the Metropolitan Planning Organization, for the El Paso Urban Transportation Study area.

Motion made by Representative Cushing, seconded by Representative Power and unanimously carried to postpone one (1) week the discussion and action regarding the issuance of early start permits in general and the request for an early start permit for the construction project located at Hondo Pass and Gateway South.

Representative Cook moved to issue foundation permits. Representative Cobos seconded.

Mr. Terry Williams, Director of Building Permits and Inspections, provided information.

Motion made by Representative Cook, seconded by Representative Cobos and unanimously carried to reconsider discussion and action regarding the issuance of early start permits in general and the request for an early start permit for the construction project located at Hondo Pass and Gateway South.

Mr. Bill Levy, citizen, was present and provided comments.

Motion made by Representative Cook, seconded by Representative Escobar and unanimously carried that the City Council retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

- Section 551.071 CONSULTATION WITH ATTORNEY
- Section 551.072 DELIBERATION REGARDING REAL PROPERTY
- Section 551.073 DELIBERATION REGARDING PROSPECTIVE GIFTS
- Section 551.074 PERSONNEL MATTERS
- Section 551.076 DELIBERATION REGARDING SECURITY DEVICES

- A. Richard Chatterson, 02-C-283 (551.071)
- B. Juan Francisco Reyes, et al v. City, County, et al, Cause No. EP-02-CA-0102, Our File No. 02-S-11 (551.071)

Motion made by Representative Escobar, seconded by Representative Cook and unanimously carried to adjourn the Executive Session and reconvene the meeting of the City Council, during which time motions were made as follows:


Motion made by Representative Cobos, seconded by Representative Cook and carried that the City Attorney be **AUTHORIZED TO REJECT SETTLEMENT OFFER** in the claim entitled **RICHARD CHATTERTON, Our File No. 02-C-283** as recommended by the City Attorney.


No action was taken regarding Juan Francisco Reyes, et al v. City, County, et al, Cause No. EP-02-CA-0102, Our File No. 02-S-11 (551.071)

Motion made by Representative Cook, seconded by Representative Escobar and unanimously carried to adjourn this meeting at 1:52 p.m.

APPROVED AS TO CONTENT:

APPROVED AS TO FORM:


Richarda Duffy Momsen, City Clerk


Rita Rodriguez, City Attorney